

## EXHIBIT 6

UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF VIRGINIA  
RICHMOND DIVISION

LULA WILLIAMS, GLORIA )  
TURNAGE, GEORGE HENGLE, DOWIN )  
COFFY, and FELIX GILLISON, )  
JR., on behalf of themselves )  
and all individuals similarly ) No. 3:17-cv-00461  
situated, )

Plaintiffs, )

vs. )

BIG PICTURE LOANS, LLC; MATT )  
MARTORELLO; ASCENSION )  
TECHNOLOGIES, INC.; DANIEL )  
GRAVEL; JAMES WILLIAMS, JR.; )  
GERTRUDE MCGESHICK; SUSAN )  
MCGESHICK; and )  
GIIWEGIIZHIGOODWAY MARTIN, )

Defendants. )

VIDEOTAPED DEPOSITION OF  
WARREN SCOTT MERRITT  
Taken in behalf of Defendants

\* \* \*

March 21, 2019  
400 Columbia Street, Suite 140  
Vancouver, WA 98660

Job No. CS3256218  
Janette M. Schmitt, CSR, CCR, RPR  
Court Reporter

1 A. Yes.

2 Q. -- but in your capacity for Answers, Etc.?

3 A. Yes.

4 Q. Okay. At the time you attended the trade  
5 show, were you doing any consulting work with or for  
6 Mr. Rosette or Ms. Wichtman also?

7 A. Not for them, no.

8 Q. Okay. And -- and I'll back up a little bit  
9 too. So -- and were you doing any consulting work,  
10 either directly or indirectly, on behalf of LVD?

11 A. No.

12 Q. This was the first time you met  
13 Mr. Martorello?

14 A. Yes.

15 Q. So tell me about that.

16 A. If I recall, I was introduced by a mutual  
17 colleague, and I -- I don't recall who that is, and  
18 started talking. And my hopes at the time -- my  
19 intent was to see if I could do a deal -- software  
20 deal with him, because he wasn't entirely happy with  
21 his current solution.

22 Q. So how did you first come to meet him at  
23 the trade show?

24 A. Somebody introduced us.

25 Q. Do you recall who?

1 Q. You mentioned that you then introduced Matt  
2 to Mr. Rosette?

3 A. Yeah. Matt indicated that he had an  
4 interest in working with Native American tribes.

5 Q. What specifically do you recall Matt  
6 telling you about his interest?

7 A. Just that he was interested. I don't know  
8 if he -- he gave me a reason. I mean, there are  
9 several reasons why -- the typical, but I don't want  
10 to speculate.

11 Q. I understand you don't want to speculate as  
12 to Mr. Martorello's reasons. But what are some of  
13 the typical reasons, in your experience, that  
14 individuals are interested in doing business with  
15 Native American tribes?

16 A. To really streamline compliance. Indian  
17 tribes will adopt their own lending regulations, so  
18 it's easier to conduct business in multiple states,  
19 and so you don't have to worry about 50 different  
20 states' rules -- lending rules.

21 So the tribes can lend money to virtually  
22 any state as long as they adhere to federal and  
23 their tribal laws.

24 Q. So beyond that Mr. Martorello was  
25 interested, in your ter -- in your words, interested

1 in, did you say, doing work with tribes?

2 A. Yes.

3 Q. Okay. You don't recall anything  
4 specifically that he told you?

5 A. Not really, no. I mean, I have dozens of  
6 those conversations at every trade show.

7 Q. Okay. So what made you -- what led you,  
8 then, to introduce him to Mr. Rosette?

9 A. Just his -- his interest in working with  
10 the tribe. I knew Rob -- Rob's a very well-known  
11 attorney in that space.

12 Q. At the time that you introduced  
13 Mr. Martorello to Mr. Rosette, had Mr. Rosette or  
14 anyone -- or Ms. Wichtman or anyone else indicated  
15 to you that LVD was interested in finding a service  
16 provider?

17 A. No.

18 Q. Had you had any interactions with anyone  
19 specifically at the tribe or its -- any of its  
20 corporate entities?

21 A. LVD?

22 Q. Uh-huh.

23 A. No.

24 Q. When did you introduce Mr. Martorello to  
25 Mr. Rosette?

1 was.

2 A. This -- the two percent was Matt's proposed  
3 revenue retention for LVD. So I took that ask to  
4 Rosette to see if it would fly, and that was what I  
5 remember happening.

6 Q. Okay.

7 A. Yeah.

8 Q. And when you took that ask to Mr. Rosette,  
9 what was his reaction?

10 A. I -- it could have been Karrie, but I think  
11 she said she would take it to the tribe --

12 Q. Okay.

13 A. -- to see.

14 Q. Okay. And did you have any inter -- you  
15 didn't have any interaction with the tribe regarding  
16 the two percent?

17 A. No.

18 Q. Okay.

19 A. No.

20 Q. Had you helped negotiate or been involved  
21 in negotiating revenue share provisions similar to  
22 this prior to --

23 A. No.

24 Q. -- that?

25 A. No.

1 you told him the LVD had a tribal code and was set  
2 to make loans?

3 A. Inaccurate.

4 Q. Okay. And it would be inaccurate in part  
5 because Matt approached you and told you he was  
6 interested in finding a tribal partner; right?

7 MS. ALAMO: Objection. Mischaracterizes  
8 his testimony.

9 THE WITNESS: Repeat the question, please.

10 Q. (By Mr. Guzzo) I said it would be  
11 inaccurate because Matt actually approached you and  
12 said he was interested in finding a tribal partner;  
13 is that right?

14 A. Matt was introduced to me, and he didn't  
15 approach me.

16 Q. Well -- okay. And after he was introduced  
17 to you, he was the one that indicated his  
18 willingness or his desire to find a tribal partner;  
19 right?

20 A. That's correct.

21 Q. Yeah. And if Matt testified that you  
22 introduced him to members of the LVD's tribal  
23 council, that would be inaccurate too; right?

24 A. Correct.

25 Q. And you didn't introduce him to the